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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/820,518 | 04/08/2004 | Arnold R. Leiboff | 461.1012 | 8311 |
| 22846 | 7590 | 01/23/2008 | EXAMINER | |
| BRIAN ROFFE, ESQ 11 SUNRISE PLAZA, SUITE 303 VALLEY STREAM, NY 11580-6111 | | | MARCETICH, ADAM M | |
| | | ART UNIT | PAPER NUMBER | |
| | | 3761 | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

CT

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|---|------------------------|---------------------|--|
| Response to Rule 312 Communication | Application No. | Applicant(s) | |
| | 10/820,518 | LEIBOFF, ARNOLD R. | |
| | Examiner | Art Unit | |
| | Adam Marcketich | 3761 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The amendment filed on 21 December 2006 under 37 CFR 1.312 has been considered, and has been:

- a) entered.
- b) entered as directed to matters of form not affecting the scope of the invention.
- c) disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) disapproved. See explanation below.
- e) entered in part. See explanation below.

Amendments under 37 CFR 1.312 are not entered as a matter of right. The claims as presented 21 December 2007 embody more than formal matters in the claims. There is significant rearrangement of limitations that go beyond correction of formal matters.

Prosecution of an application should be conducted before, and be complete at the time of the Notice of Allowance. The amendments as submitted are not required for proper disclosure or protection of the invention, and would require substantial work on the part of the office.

For the above reasons, the claims are not being entered.

See MPEP 714.16, Amendment after notice of allowance.

TATYANA ZALUKAEVA
SUPERVISORY PRIMARY EXAMINER